

REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claims 1, 2 and 4-6 have been revised to include the feature of claim 7, with additional revisions. Support for the revisions can be found at, e.g., Fig. 1, among other places. Claim 7 has been canceled accordingly. Claims 1, 2 and 4-6 remain pending in the application.

Claims 1, 2 and 4-6 are rejected as being unpatentable over Akaho (JP Patent No. 9-300486) and Wilkes (U.S. Patent Application Publication No. 2003/0202719). Claim 1 has been revised to include the feature of claim 7; thus, claim 1 and its dependent claims 2 and 4-6 are not subjected to this rejection. Applicant is not conceding the correctness of the rejection.

Claim 7 is rejected as being unpatentable over Akaho and Wilkes, and further in view of Mead et al. (U.S. Patent No. 2,990,101). Applicant respectfully traverses this rejection. Claim 1 has been revised to include the feature of claim 7.

Claim 1 recites a roll of an elongated packaging material, wherein before each unit pouch area is paid out from the roll, 1) each of first and second elongated flexible sheets includes a first wider width portion between each said projecting portion and a first of the adjacent cross sealing portions, a narrower width portion at each said projecting portion, and a second wider width portion between each said projecting portion and a second of the adjacent cross sealing portions, and 2) each of the first wider width portion and the second wider portion has a wider inner width than the narrower width portion.

This arrangement helps provide the final configuration for each unit pouch area before the unit pouch area is paid out from the roll, and as a result, allows people to be able to use the unit pouch area by simply cutting the unit pouch off.

Akaho fails to teach or suggest the arrangement as recited in claim 1. Instead, Akaho merely discusses a gusset material 1 and a pair of elongated sheets 2a, 2b being laminated together at a laminating unit 5 and subsequently subjected to side sealing and bottom sealing at locations 7 and 8, respectively. The laminate of Akaho is then subjected to cutting at locations 9, 10 and 11, thereby providing a plurality of unit bags to be transported by a conveyor 12 (see Akaho, Figs. 1 and 3-12). As clearly shown in Figs. 3-7, 9 and 11, Akaho is silent as to a roll of an elongated packaging material as recited in claim 1, much less a roll that includes final

configurations of unit pouch areas before each unit pouch area is paid out from the roll. Also, as acknowledged in the rejection, Akaho does not show 1) each of first and second elongated flexible sheets includes a first wider width portion between each said projecting portion and a first of the adjacent cross sealing portions, a narrower width portion at each said projecting portion, and a second wider width portion between each said projecting portion and a second of the adjacent cross sealing portions, and 2) each of the first wider width portion and the second wider portion has a wider inner width than the narrower width portion, as required by claim 1.

Wikes does not remedy the deficiencies of Akaho. Wikes merely discusses a product, wherein a flexible bottle is manufactured by feeding webs 11, 12, 13, 14, creating perimeter seals 15 around only the top portion of the bottle, inserting the fitment 28 from the input end of the machine in the direction of web travel, forming the remainder of the perimeter seams, detaching the nascent bottle from the web, and sealing the neck section 27 of the bottle to the fitment 28 by clamping the neck section 27 with a heated clamp 81 (see Wikes, Figs. 4-9 and paragraphs [0047]-[0061]). In fact, as clearly shown in Fig. 3, the flexible bottle in Wikes does not include a first wider width portion between each said projecting portion and a first of the adjacent cross sealing portions, a narrower width portion at each said projecting portion, and a second wider width portion between each said projecting portion and a second of the adjacent cross sealing portions as recited in claim 1, letting alone that each of the first wider width portion and the second wider portion has a wider inner width than the narrower width portion as recited in claim 1.

Mead et al. merely discuss a series bags for milk and does not remedy the deficiencies of Akaho and Wikes because Mead et al. fail to teach or suggest a first wider width portion between each said projecting portion and a first of the adjacent cross sealing portions, a narrower width portion at each said projecting portion, and a second wider width portion between each said projecting portion and a second of the adjacent cross sealing portions, as recited in claim 1.

For at least these reasons, claim 1 is patentable over Akaho and Wilkes, and further in view of Mead et al. Claims 2 and 4-5 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicant is not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim 6 depends from claim 1 and is patentable along with claim 1 for reasons discussed above respect to claims 1, 2 and 4-5. Moreover, claim 6 recites a subsidiary portion of each side

Claim 6 depends from claim 1 and is patentable along with claim 1 for reasons discussed above respect to claims 1, 2 and 4-5. Moreover, claim 6 recites a subsidiary portion of each side sealing portion being connected to an inclined portion of the side sealing portion at a boundary between the inclined portion and an adjacent cross sealing portion, where a recess is formed outside of the subsidiary portion. This feature is not seen in or suggested by the references of record. The rejection states that the packaging material of Akaho and the pouch shape of Wilkes would inherently result the feature of claim 6. Applicant respectfully requests that the Examiner provide specific reasons for this.

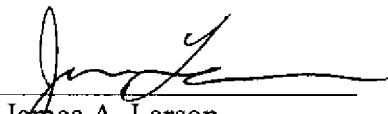
In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, James A. Larson, Reg. No. 40,443, at (612) 455-3805.

Respectfully submitted,



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